

To: All MBTA Contractors and Consultants,

On April 18, 2023, the MBTA received an Immediate Action Letter from the Federal Transit Administration (FTA) aimed at protecting the safety of workers on the Right-of-Way (ROW). The Immediate Action Letter was issued in response to 5 near miss events between March 13 and April 14. These incidents, which pose an unacceptable risk to our collective workforces, were caused by deficiencies in the implementation of ROW safety rules. To protect the safety of everyone on the ROW and in response to the FTA's required actions, new MBTA rules and procedures will now include, but not be limited to, the following access verification and documentation.

1. Effective immediately, all ROW Access Requests must include an attached roster showing all contractor employee names, badge numbers, access location start points and end points, and associated access start and end times, 48 hours in advance of the approved access. There will be no exceptions granted for this requirement.
2. All contractors entering the ROW as of June 15, 2023, will be required to undergo a supplemental ROW Training course. Due to tight timeline for retraining, contractors and consultants will need to prioritize which of their employees need the supplemental training prior to 6/15/23, based on project assignments that require ROW access. New credentials will be issued and will be required to be carried on person. There will be no exceptions granted for this requirement.

After a detailed analysis of access capacity, the MBTA will also:

- Cap Day and Night Orders at 75% of recent average
- Limit Day or Night Orders outside of Diversion areas by an additional 50%
- Limit work in a diversion area to three equipment-based jobs per work zone (applies to track access work only)
- Clear entire ROW during test train operations except for test train observations and test trains required as part of a work scope

As the MBTA implements these new policies and continues to respond to the FTA's ongoing Safety Management Inspection, we request your cooperation and support in carrying out our utmost priority which is the protection of our customers and shared workforce. Please use these events as a reminder to further increase your vigilance in ROW protocols and safety measures. At the end of each shift, it is up to each individual to ensure that everyone returns home safely to their families and loved ones.

We will be in touch soon to update you on the logistics of the new training requirements and further developments in our ROW safety rules and procedures. In the meantime, please direct any questions to your MBTA Project Manager.

Sincerely,

**Katie J. Choe, CCM (she/her)**

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